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December 15, 2005

### VIA HAND DELIVERY

Marlene H. Dortch, Esq. Secretary Federal Communications Commission Portals II – 12th Street Lobby Filing Counter – TW-A325 445 12th Street, SW Washington, D.C. 20554

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DEC 1 5 2005

Federal Communications Commission Office of Secretary

Re:

MM Docket No. 02-167

RM-10479, 10770

(Eldorado, Mason, Mertzon and Fort Stockton, Texas)

**Motion to Accept Supplement** 

Dear Ms. Dortch:

Transmitted herewith, on behalf of Bryan A. King, licensee of Station KOTY(FM), Mason, Texas, is an original and four (4) copies of his Motion to Accept Supplement. Please contact the undersigned should the Commission have any questions with respect to this filing.

Sincerely,

Lee J. Peltzman

Counsel for

BRYAN A. KING

LJP/kdm

Enclosure

No. of Copies rec'd ListABCDF

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# BEFORE THE FEDERAL COMMUNICATIONS COMMISSION DEC 1 5 2005 WASHINGTON, D.C. 20554

Federal Communications Commission Office of Secretary

In the Matter of	)		
Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations (Eldorado, Mason, Mertzon and Fort Stockton, Texas)	) ) ) )	MM Docket No. 02-167 RM-10479, 10770	

To: Assistant Chief, Audio Division

Media Bureau

#### MOTION TO ACCEPT SUPPLEMENT

Bryan A. King ("BK")<sup>1</sup>, licensee of Station KOTY(FM), Mason, Texas, hereby moves for acceptance of the accompanying supplement to the record in the above-captioned proceeding. The purpose of the supplement is to provide an updated list of broadcast services within the proposed gain and loss areas. The Commission may accept this supplement as a matter within its discretion. *See Nogales, Patagonia, and Vail, Arizona*, 16 FCC Rcd 20515 (2001); *Wallace, Idaho and Lolo, Montana*, 14 FCC Rcd 21110 at n. 1 (1999).

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<sup>&</sup>lt;sup>1</sup> The initial sponsor of the counterproposal, which would change the channel for Station KOTY(FM) from Channel 239C2 to Channel 240C2, re-allot that channel from Mason to Mertzon, Texas and modify the license of Station KOTY(FM), was BK Radio. However, on March 9, 2004, BK Radio assigned the license for Station KOTY(FM) from itself to Bryan A. King, one of the partners in BK Radio.

WHEREFORE, BK respectfully requests the acceptance of the accompanying supplement.

Respectfully submitted,

**BRYAN A. KING** 

Lee J. Peltzman

1850 M Street, N.W., Suite 240

Washington, D.C. 20036

Tel: (202) 293-0011

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Date: December 15, 2005

### **CERTIFICATE OF SERVICE**

I certify that on this 15<sup>th</sup> day of December, 2005, I caused to be sent by U.S. mail, postage prepaid, copies of the foregoing Motion to Accept Supplement to the following:

Sharon P. McDonald\*
Federal Communications Commission
445 12<sup>th</sup> Street, S.W., Room 3-A226
Washington, D.C. 20554

Andrew J. Rhodes, Esq.\*
Federal Communications Commission
445 12<sup>th</sup> Street, S.W., Room 2-C261
Washington, D.C. 20554

Karen McNeill

\*Via Hand Delivery